

# The Lehigh Way



New York City? Los Angeles?  
Toronto? *No...Buffalo!*

Martin Moves Into Historic Buffalo Building

SEE PAGE 4



# ABC & BIM

Consider The Game Changed

See Virtual Design in High Definition with BIM 3D from American Buildings Company

Providing powerful value, Building Information Modeling, or BIM, is driving an unparalleled revolution in the construction industry using 3D digital modeling software to more effectively design, detail, manufacture and erect buildings. American Buildings Company is pairing its proven track record of quality and service with the future of BIM 3D modeling to give you the highest quality building with faster erection and fewer errors to save you money - now and in the future. And that's a game changer.

**AMERICAN BUILDINGS COMPANY**  
501 Golden Eagle Drive, La Crosse, VA 23950  
TEL 434.757.2220 FAX 434.757.1892  
[www.americanbuildings.com](http://www.americanbuildings.com)



### The benefits of BIM mean time and cost savings for your project

- Easier coordination among software and project personnel
- Produces a working model usable for fabrication
- Leads to increased productivity
- Enables improved communication across project team members, which can significantly reduce change order costs.
- Enhances quality control
- We provide a digital copy of the completed project model that can be used for decades of operation and maintenance.

# PAINT of WNY

2205 HOPKINS ROAD | GETZVILLE, NEW YORK | 14068

PAINTING CONTRACTORS



Professional, full-service painting contractor for residential, commercial, and industrial properties. We offer excellent customer service, high-quality products, and a dedication to a clean, neat work environment.

E: [mike.giordano@paintofwny.com](mailto:mike.giordano@paintofwny.com) | P: 716-863-1115 | W: [www.paintofwny.com](http://www.paintofwny.com)

# The Lehigh Way

A publication from



**Lehigh Construction Group, Inc.**

4327 South Taylor Road  
Orchard Park, New York 14127  
(716) 662-2151  
www.lehighconstructiongroup.com

**Corporate Information & Business Development**

David E. Knauss, President

**Field Construction & Safety**  
Thomas Glomb, Vice President

**General Business**  
Josie L. Stockweather, Human Resources & Administrative Manager

**Marketing & Public Relations**  
Jessica Blackmer, Marketing & Communications Director



**Lehigh Land & Building Company, LLC**

PO Box 449  
Johns Island, South Carolina 29457  
(843) 768-0909  
www.lehighlandandbuilding.com

**Corporate Information**  
David E. Knauss, President

**Field Construction & Safety**  
Thomas Glomb, Vice President

**General Business**  
Christopher Zegers, General Manager

The Lehigh Way is published by  
Innovative Publishing  
10629 Henning Way, Suite 8  
Louisville, KY 40241  
Phone 844.423.7272 • Fax 888.780.2241  
Innovative Publishing specializes in creating  
custom magazines for associations and businesses.  
Please direct inquiries to Aran Jackson at  
aran@innovativepublishing.com.



www.innovativepublishing.com

# Welcome to The Lehigh Way



The Buffalo renaissance continues, and the nation has taken note of our region's growth, opportunity and new vibe.

My first visit to Las Vegas was years ago, during the explosive growth of new hotel complexes. I stayed at the newly opened Bellagio, site of the Associated General Contractors of America (AGC) convention. Our group was given a backstage tour of the facility, and I learned that the cost to build the Bellagio, situated on one city block, was in excess of \$1 billion. At that time, McGraw-Hill Dodge Analytics estimated that all of the non-residential construction put in place in all of Erie County was less than \$900 million annually!

Times have changed, and now western New York development is routinely measured in the billions.

While Lehigh has generally not been involved in the marquis projects that have garnered the majority of the headlines (Canalside, John R. Oshei Children's Hospital, the new University of Buffalo School of Medicine and Biomedical Sciences, etc.), it seems, from my perspective, that our corporate and non-profit clients are generally more positive about the prospects of growing and expanding in western New York and even attracting new talent from outside of the area. I don't claim to be an economist, but I think the concept "a rising tide lifts all boats" applies here.

With 2018 upon us, we at Lehigh are prepared to ride the tide and partner with our clients as they rise to new heights.

Sincerely,

David E. Knauss  
President

## Contents

New York City? Los Angeles? Toronto? No...Buffalo! .....	4
A Healing Partnership .....	8
Look Forward to Winter with Lehigh PRO.....	12
Ask the Expert .....	14
Lehigh Renews Alliance with OSHA .....	16

ON THE COVER: Lehigh's renovation of 620 Main St. in Buffalo, The Martin Group's new headquarters.  
Cover photo by: kc kratt photography

A photograph of a modern office space. In the foreground, a dark, round table is surrounded by several grey mesh office chairs. The background features large, arched glass windows that look into other office areas. One area has a television on a stand, and another has a desk with a computer. The ceiling has exposed ductwork and a large, white, geometric pendant light fixture. The overall atmosphere is bright and professional.

New York City? Los Angeles? Toronto?

*No...Buffalo!*

**Martin Moves Into Historic Buffalo Building**

by Elizabeth Herrera Lauer

The Martin Group knows a lot about branding, so the full service communications agency needed its surroundings to be on-brand and reflect the vibrant and exciting company. Tod Martin, CEO, articulated his vision for the new home of The Martin Group as the kind of space you expect to visit in New York City, Los Angeles or Toronto. Lehigh Construction Group was up to the task of renovating the marketing firm’s new location at historic 620 Main Street in Buffalo.

The renovation was a long time coming for the Levy, King and White building, which dates to 1919.<sup>1</sup> It was last renovated decades ago, said Harold Knittel, project manager at Lehigh, who worked with Martin on the project.

“The building was built in the early 1900s, and the original occupant was a jewelry store,” Knittel said. “Going through the building in the early design stages, primarily between the architect, the owner and Lehigh, we made some assessments on what they were going to try to maintain and show, and also to historically preserve the building.”

Martin bought the building in response to the company’s rapid growth, which created the need to lease two additional office buildings near its previous 477 Main Street location. The move to 620 Main lets everyone work under one roof.<sup>2</sup> It’s also a symbolic move because Levy, King and White was a prominent advertising agency.

“We’re sort of paying homage to a great advertising history that’s been through these doors,” Martin told *The Buffalo News*.<sup>3</sup>

The building boasts Roman architectural elements, including “prominent columns, paneled pilasters, ornamental iron railings and a pediment and dentils,” according to a *Buffalo Rising* article announcing completion of the renovations.<sup>4</sup>

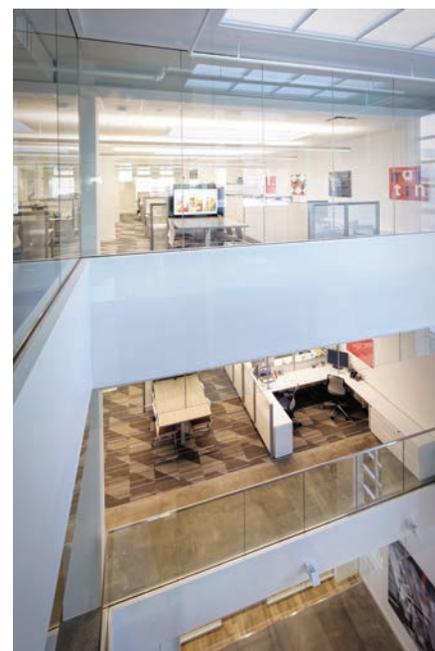
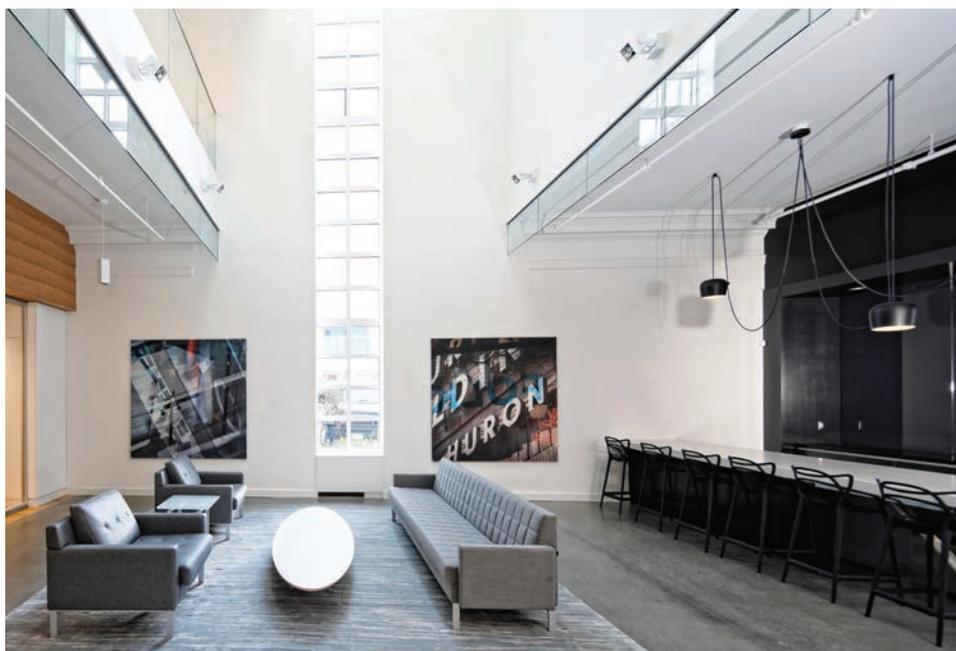
Preserving the history of the building that was once occupied by an iconic advertising agency while updating it for Martin was one of the goals of the project. The updated building marries the best of old and new.

“The executive office, marble stairway and plaster cove moldings were kept intact,” said Russ Bauer, superintendent at Lehigh. “All the mechanicals were updated — plumbing, electric, HVAC, plus modern data and audio visual equipment were installed.”

The modernization involved big improvements and some “sprucing up,” and key features include polished concrete floors, hanging light fixtures and a lot of glass to create a feeling of spaciousness. “It definitely does not have the early 1900s look anymore,” Knittel said.

“It has a clean, gallery type of atmosphere now. It’s got a very open concept to it rather than a lot of closed-in offices. It’s got a lot of glass features and functions.”

The first floor “is very detailed,” Knittel said, and houses Martin’s major conference room, atrium, gathering spaces and a reception desk built entirely of solid-surface material. The second and third floors have traditional workspace cubicles and glass office walls featuring the DIRT system. The basement level required minimal renovations to create more gathering





space, an employee lounge, Martin's IT department and other support spaces.

The Martin Group retained internationally known, but locally based, CannonDesign as the architect on the project, and the design phase of the project began in February 2016.

"Cannon worked hard to deliver on the client's needs and wants for the building, so everything came together nicely," Bauer said.

The building's openness and youthful feel fit with the Martin Group's collaborative style, allowing colleagues more opportunities to brainstorm together than in closed offices.

While the major renovations were completed indoors, minor renovations and repairs were done on the exterior, including repointing the stone, installing new signage and employing feature lighting to highlight the building, Knittel said.

Of course, a project of this magnitude can be tricky.

"Every construction project has its challenges," Knittel said. Once Lehigh began demolition and exposed the first floor, "It was a conglomeration of some mosaic tile from the early 1900s, and some areas where they repaired floors with concrete, so it was a mish-mash affair of several different types of flooring.

That was not going to be conducive to Tod Martin's request for polished concrete floors. So we literally had to tear out the existing floor, put in a new concrete floor and made it look old and aged during the polishing process."

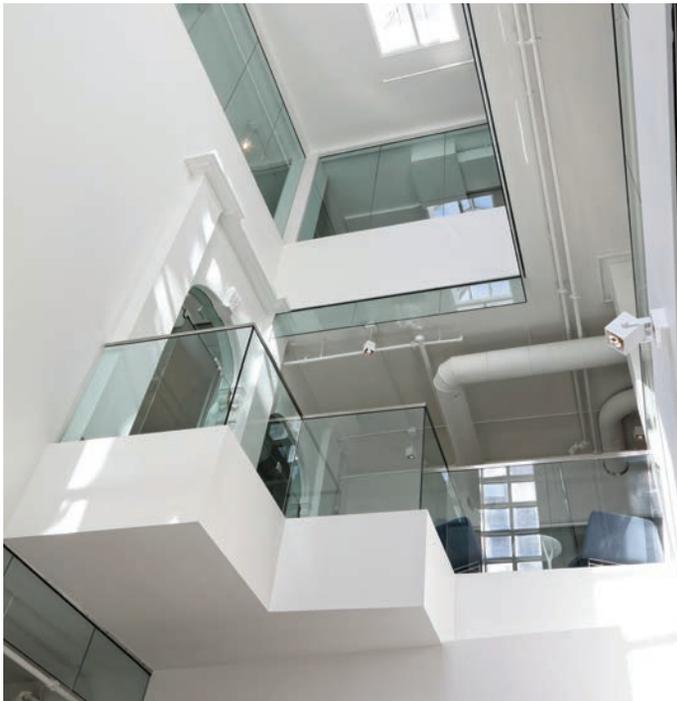
For The Martin Group, moving its business to the new location had its own challenges, such as the time it took for furniture selection and to put together voice, data and security packages. The Martin Group also worked with a local company, Preservation Studios, for its federal historical preservation application.<sup>5</sup> The



historical tax credits received for the project required that strict federal standards be implemented throughout the renovation.

Knittel says the project was completed on schedule, and The Martin Group had its grand opening in September 2017. It's a new chapter for the company, and getting there was all about collaboration. Lehigh, Cannon, The Martin Group and the vendors all worked together throughout the process. According to Knittel, "It really was a team effort project."

Michael Bonitatibus, owner of Millington Lockwood Business Interiors and the specialty furniture supplier on the project, weighed in as well. "Christine Soto and the CannonDesign team designed a working environment that is unique and inspiring.



"Once you enter the building, there is an immediate *wow* factor. The layout and furniture selections encourage a work style of open communication, collaboration and teamwork — a very inviting space."

Dave Knauss, president at Lehigh, contacted Tod Martin after the grand opening reception and posed the question: "Were we able to deliver on your vision?" Martin's reply came back, "Dave, we hit it out of the park and created a corporate headquarters unique to Buffalo."

*Sources:*

1. [www.news.wbfo.org/post/martin-group-opens-new-headquarters-historic-building](http://www.news.wbfo.org/post/martin-group-opens-new-headquarters-historic-building)
2. [www.martingroup.co/the-martin-group-to-purchase-historic-620-main-street/](http://www.martingroup.co/the-martin-group-to-purchase-historic-620-main-street/)
3. [www.buffalonews.com/2017/05/04/martin-group-move-new-downtown-home/](http://www.buffalonews.com/2017/05/04/martin-group-move-new-downtown-home/)
4. [www.buffalorising.com/2017/05/the-martin-group-completes-2-3-million-renovation-620-main-street/](http://www.buffalorising.com/2017/05/the-martin-group-completes-2-3-million-renovation-620-main-street/)
5. [www.buffalorising.com/2017/05/the-martin-group-completes-2-3-million-renovation-620-main-street/](http://www.buffalorising.com/2017/05/the-martin-group-completes-2-3-million-renovation-620-main-street/)

# R.E. KELLEY, INC.

## BUILDING RESTORATION AND SPECIALTY CONTRACTOR



*Guaranteed Service  
Since 1934*

**BRICK  
STONE  
WINDOWS  
CONCRETE  
TERRA COTTA**

**BUFFALO OFFICE**  
33 Main Street  
Bowmansville, NY 14026  
716.684.3550

**ROCHESTER/  
SYRACUSE OFFICE**  
1383 Route 96  
Waterloo, NY 13165  
315.568.0982

Visit us: [www.rekelley.com](http://www.rekelley.com)



# A HEALING PARTNERSHIP

## Brothers of Mercy and Lehigh Work to Create Outpatient Care Facility

by Elizabeth Herrera Lauer

For the Brothers of Mercy, a long-held goal is about to be realized — with Lehigh’s help.

The 240-bed skilled nursing facility in Clarence, New York, will expand with the opening of its outpatient facility, the Brothers of Mercy Outpatient Rehabilitation Clinic, gifted by Russell J. Salvatore.

The nonprofit provides many levels of adult residential care and works with patients in rehabilitation, including those who have experienced a stroke

or had surgery. But since 2012, it has sought to fill a significant gap in the services it provides.

While the facility prides itself on its inpatient rehabilitation services, “What we don’t have is a service for outpatient physical, occupational and speech therapy,” said Tom Bloomer, administrator for the nursing and rehabilitation center.

The ability to provide outpatient services helps with continuity of care for patients who have already become comfortable with their therapists.

“The therapists know their patients’ goals, they know their strengths and limitations,” Bloomer said.

“Being able to continue on an outpatient basis with the same team

helps lead to better outcomes for existing patients, but there was also a need in the community at large,” said Nancy Gugino, Brothers of Mercy foundation director.

Because Brothers of Mercy has been in western New York for almost 100 years and developed a “pristine reputation for quality of care,” Gugino said, “the admissions team gets calls often for outpatient therapy, and they’ve had to turn them away.”

Fortunately, that is no longer the case. With the Brothers of Mercy Outpatient Rehabilitation Clinic, “We’ll be able to serve the community at large in addition to our prior patients,” Gugino said.

When the idea originated between 2012 and 2013, Brothers of Mercy received a grant from the John R. Oishei Foundation but could not pull together the additional resources required at the time, Gugino said. The idea was tabled until a

\$300,000 gift from philanthropist Russell J. Salvatore revived the original plan. Salvatore had donated new televisions for the skilled nursing home before Brothers of Mercy reached out to him for help with funding the outpatient building.

With funding secured, the team needed to find the right partner to make the vision for a new facility a reality. Brothers of Mercy had already established a relationship with Lehigh, which had previously helped with water temperature problems in the main building and handled room renovations for the facility.

“We were very impressed with their workmanship, quality of work and timeliness,” said Paul Moyes, director of plant operations for Brothers of Mercy.

“They were comfortable with us already,” said Mike Glomb, project manager for Lehigh, noting that Lehigh had completed a number of smaller

projects at the facility, including a prototype design-build renovation for three resident rooms.

Bloomer explained that the team at Brothers of Mercy had researched Lehigh by touring other health care-related facilities the group had worked on, and found the general presentation to be very professional.

“Brothers of Mercy did their homework on Lehigh,” Glomb said. “We had quite a bit of experience with renovations and construction in the health care field. They wanted to get an up-to-date, modern feel as far as construction.”

“We put the project out to bid to several local companies in the area, and I would say Lehigh came in with an extremely comprehensive, detailed plan for the new building,” Moyes said.

“They seemed to be straight shooters and transparent, and competitively priced,





The team at Brothers of Mercy had researched Lehigh by touring other health care-related facilities the group had worked on, and found the general presentation to be very professional.

which is important for a nonprofit organization like ours,” Bloomer added.

The project began with a simple floor plan that lent itself to changes. “We kind of worked around a couple of different design schemes with them, and involved the architect and changed some of the layout,” Glomb said. Lehigh was able to provide flexibility throughout the process, adapting the original plans to reflect the actual wants and needs of the physical and occupational therapy teams as work progressed. Then it was a matter of working with an interior designer to give the building the perfect touches.

“We upgraded some of the finishes to a high-end look, newer and softer colors,” Glomb said.

Moyes added, “We used all energy-efficient LED light fixtures and energy-efficient, state-of-the-art HVAC equipment. We upgraded solid surfaces to high-end Corian composite material, and built a luxurious unisex toilet room.”

The 2,600 square-foot facility essentially has an open floor plan, Glomb said. The plan opens up on the east side of the addition, and on the west side there are offices, restrooms and laundry facilities. Bloomer said the building is all on one level so people can get in and out easily,

with plenty of space between equipment for ambulation.

The completed building will be subject to approval from the health department, and a survey will examine the facility to make sure it’s safe and complies with requirements, such as the Americans with Disabilities Act. The facility’s policies, procedures and workflow will all be examined.

The facility will have a full-time program director who is a doctor of physical therapy, as well as a speech and language pathologist, Bloomer said. Patients will be able to receive occupational therapy, which aids in daily living activities such as dressing and grooming.

A rehabilitation gym will be outfitted with state-of-the-art equipment, including upright and recumbent bikes and elliptical machines; an upper-body ergometer; a Total Gym; a stretch cage; hand and ankle weights; weighted balls; balance boards; and machines for electrical stimulation and ultrasound.

Patients will have a park-like, 1,700 square-foot courtyard with a patio to get some air. Bloomer even hopes to add a putting green so rehabilitating patients can practice their swing. This eye toward growth is all part of Brothers of Mercy’s plan.

“It would be very, very, very easy for us to expand upon the footprint of what we’ve currently built,” Moyes said.

Gugino said Brothers of Mercy is in a heavy-growth phase, with strategic planning in place for another building. A capital campaign is raising funds for renovation of the fourth floor of the main facility.

Lehigh will have an opportunity to bid on future projects, Bloomer said.

Bloomer is excited about the expansion and what it means for Brothers of Mercy, which has the distinction of a five-star Centers for Medicare and Medicaid Services rating. “A lot of health care organizations are downsizing and laying off and trying to reconfigure what their mission is,” Bloomer said. “We’re kind of doing the opposite. It’s a good time for us.”

Glomb was pleased with the partnership.

“We were glad that we were able to deliver the project for them and they were comfortable with us,” Glomb said. “Their staff from top to bottom was very accommodating with our work.”



Manchester Cable specializes in the design and installation of structured cabling and data systems. We are committed to providing our customers with the highest quality of cabling services to meet your present and future needs.

716.743.1455 | 716.692.2814 (Fax)  
www.manchestercable.com



**Most Sought After Workforce**

**716.652.5700**

**PO Box 419  
Elma, NY 14059**

[www.gypsumsys.com](http://www.gypsumsys.com)



**CITY FENCE**

3893 Walden Avenue, Lancaster, New York 14086

**Craig Jones, Sales Manager**

716.206.0511  
Fax: 716.206.0512  
E-mail: [craigjones@cityfence.com](mailto:craigjones@cityfence.com)  
[www.cityfence.com](http://www.cityfence.com)



Western New York's Largest



Authorized Dow Corning Distributors  
Sealants • Adhesives • Waterproofing • Firestopping  
Mineral Wool • Dow Styrofoam, Thermax CI, Tuff R CI  
• FRP • EIFS • EPS

NYS DOT Approved Materials  
Highway Pavement & Bridge Products

203 St. Mary's Street, Lancaster, NY 14086  
716-684-6060  
Tom Casarsa 716-912-1262

**CSB CONSTRUCTION SERVICES, INC.**

Cold Storage Specialists  
Cooler-Freezer-Prep Clean Rooms • Warm Rooms  
FRP Paneling & Accessories • Walls and Ceilings  
Authorized METL-SPAN IMP Installer

203 St. Mary's Street Suite 1, Lancaster, NY 14086  
Jeff Casarsa 716-553-5825

**Simoncelli Electric, Inc.**

▲ Commercial  
▲ Industrial  
▲ Residential



**(716) 662-2780**  
(716) 662-3747 fax

3740 California Road | Orchard Park, NY 14127

Your # 1 Source for  
**CONSTRUCTION AND INDUSTRIAL SUPPLIES**

55 James E Casey Dr • Buffalo, NY  
716.828.2636 • [www.HanesSupply.com](http://www.HanesSupply.com)

**CONSTRUCTION • INDUSTRIAL • RIGGING • SAFETY**  
Products • Rentals • Services • Solutions



Buffalo • Rochester • Syracuse • Watertown • Albany  
Connecticut • North & South Carolina

To advertise in future issues of  
*The Lehigh Way*,  
please contact Innovative Publishing  
at 844.423.7272 or  
[advertise@innovativepublishing.com](mailto:advertise@innovativepublishing.com).



[www.innovativepublishing.com](http://www.innovativepublishing.com)



Lumber



Plywood



Millwork



Building Materials

**Forest Materials Inc.**  
1665 Harlem Road, Buffalo, New York  
(716) 895-3900  
[www.forestmaterials.com](http://www.forestmaterials.com)



**EMPIRE BUILDING DIAGNOSTICS**  
DEMOLITION AND ENVIRONMENTAL CONTRACTING

TRUSTED ON THE TOUGHEST PROJECTS

786 Terrace Boulevard, Suite 1 Depew, NY 14043  
[www.ebdinc.com](http://www.ebdinc.com) | Phone: 716.685.4588 | Fax: 716.685.6055

# Look Forward to Winter with LehighPRO

## *Preventive Winterization Can Save Clients Drama and Dollars*

by Meg Kennedy

**“An ounce of prevention is worth a pound of cure.” Benjamin Franklin gave this advice to Philadelphians in 1736 regarding fire safety, but the adage equally applies to winter in Buffalo today. Will Randolph, PRO service manager at Lehigh Construction Group, echoed this famous phrase in regard to winterization.**

While Lehigh PRO may be known for their ability to handle a plethora of small projects, facility maintenance and emergency work, they are especially versed in handling winter weather issues. They have to be. According to the National Weather Service, normal winter snowfall for Buffalo is 94.2 inches, or almost 8 feet. With deep snowfall, winter temperatures averaging around 31.2 degrees, and repeated freezing and thawing cycles, structural and building maintenance issues aren't a question; they're inevitable.

The best way to prevent a winter weather maintenance emergency is to get ahead of any issues with winterization by Lehigh PRO. When a client is ready to winterize their facility, “We do a site assessment and gauge their needs,” Randolph said. “We can do a walk-through with the client in their facility and identify needs in terms of damage mitigation, and try to anticipate any problems with associated weather. That would be a starting point, figuring out what it is they need and how we can provide it for them.”

In the Buffalo area, even minor winterization tasks can save a lot of headache for building owners, including common fixes like caulking, painting and repointing mortar as well as addressing energy efficiency and air infiltration.

Winterization can save clients the most money when it comes to preventing major roof damage. “Winter brings snow and ice, obviously, and a lot of the facilities we



deal with have metal roofs,” Randolph said. When performing a winterization assessment, the Lehigh PRO team begins by “looking at snow guards on the roof, which are set up to prevent snow and ice from moving off a roof in full sheets and potentially being a danger. We are making sure those are effectively attached as they're supposed to be, and making sure that heating trace wires — which prevent ice damming at roof edges and eaves — are appropriately serviced and in working order.” Then the crew evaluates “clearing out roof drains on flat roofs to prevent ponding and ice build up and making sure gutters and downspouts are clear.”

Randolph recommends that businesses begin thinking about weatherization as early as the spring. When it comes to identifying

damage mitigation points, assessing a facility in the spring makes it easy to target any red flags “by virtue of having suffered the winter season and problems that have arisen as a consequence of snow or ice. All those issues are still fresh.” Starting the winterization process early can also be a benefit in terms of budget. When addressing potential winter weather issues, Randolph said, “often if you wait for those until the last minute, it's sort of a shock to your bottom line, or it may lead to an emergency situation. The further out we can anticipate your needs, populate a job, and figure out a budget and a course of action, the better.”

While spring may be ideal, it's never too late in the year to begin preventive maintenance on a facility, and there are some warning signs to consider in preventing bigger and

more expensive issues. "In walking areas where there are concrete slabs, clients could look for cracking or expansion joints that are open, which will allow water infiltration and a freeze/thaw cycle to open up those joints further. But if you can identify those areas where you might have freeze/thaw issues and remedy those, that's a good place to start," Randolph said. "If there's obviously damaged weather-stripping around windows or doors, it can be replaced or modified. If there's water coming over a gutter line as opposed to a down spout, those would be indications that there's a problem."

Sometimes, however, Lehigh PRO gets called in when a situation has moved beyond prevention. When it comes to emergency jobs, Randolph said, "Quite frequently we'll deal with snow guard issues. A consequence of not having an appropriately installed snow guard is that large volumes of snow and ice can fall off a roof and actually damage a structure. We've often been called in after the fact, where the siding on the

building has been significantly damaged or there's been damage to parked vehicles or other equipment." More damage means more expense for the client, and Randolph strongly encourages winterization as the best defense against emergencies like this. "Certainly we're equipped to deal with anything that comes up as a consequence of not addressing issues, but it's not ideal. An ounce of prevention is worth a pound of cure, especially when it comes to the budget," Randolph said.

In 2014, however, winter weather damage issues could not be avoided. That year, two storms rapidly dropped snow on the Buffalo area over the course of a few days prior to Thanksgiving. According to the National Weather Service, "Storm totals from the two storms peaked at nearly 7 feet, with many areas buried under 3-4 feet of dense snowpack by the end of the event." Randolph described it as one of the most memorable winter challenges for the PRO team.

According to Randolph, the snowfall "presented a problem for buildings with flat roofs and created engineering issues. The PRO division responded and ended up shoveling a lot of snow and opening up roof drains. It wasn't glamorous, but it was really an emergency situation in the sense that we were facing potential building collapses and a lot of structural damage as a consequence of the weight of the snow." Snow shoveling and clearing roof drains may not be exciting, but it was a vital response from Lehigh PRO to ensure safety.

As memorable as the 2014 snowfall was, Randolph and the Lehigh PRO team hope to help their clients avoid the drama and costs of an emergency weather situation. "You can get ahead of potential issues by having an assessment, which the PRO division is happy to facilitate. If we can anticipate your needs ahead of time, there's a considerable cost savings if you address an issue early, as opposed to waiting for some sort of catastrophic event."



*Heritage*  
CONTRACT FLOORING

29 Depot St.,  
Buffalo, NY 14206  
[www.heritagefloor.com](http://www.heritagefloor.com)

*Are you standing on our  
floors?*




starnet  
worldwide  
COMMERCIAL FLOORING PARTNERED-UP  
member



**KT**  
CONSTRUCTION SERVICES

- » Commercial Contractor
- » EIFS
- » Drywall
- » Plastering
- » Metal Stud Framing
- » Acoustical Ceiling

**Kurt Mang, President &  
Tim Cramer V.P./Chief Estimator**  
*K. T. Construction Services, Inc.*  
50 James Street, Tonawanda, NY 14150  
Visit: [www.ktconstructionservices.net](http://www.ktconstructionservices.net)  
Email: [info@ktconstructionservices.net](mailto:info@ktconstructionservices.net)  
Tel: 716.525.1097 \* Fax: 716.525.1124



## *Ask the Expert:*

**Mike Elmendorf**

**President and CEO of The Associated  
General Contractors of New York State**

The Associated General Contractors of New York State (AGC NYS) is the leading voice of the building and heavy highway construction industry, and delivers a variety of services and programs effectively organized to truly protect the interests of its members. A topic of interest to AGC NYS and many of its members recently has been the need for Scaffold Law Reform in New York State.

A study by the Nelson A. Rockefeller Institute of Government concluded that Labor Law 240 — more familiarly known as the Scaffold Law — makes construction more dangerous and as much as doubles the insurance cost of public works construction projects. Reforming the Scaffold Law would dramatically reduce building costs and create construction jobs in New York.

We sat down with AGC NYS President and CEO Mike Elmendorf for a Q&A regarding the Scaffold Law. He has been heavily involved in trying to bring change to New York state so that building here can be safer and more competitive with other states in our nation.

**Q: What is the single most important reason why you feel the Scaffold Law must be reformed?**

A: In fact, there are many important reasons to fix this antiquated law. First, it is simply manifestly unjust. The notion that contractors and owners can be held absolutely liable for injuries they may have had nothing to do with — and not get their day in court — is totally foreign to any sense of justice. Beyond that, it is driving up the cost of construction all across New York, which means less rebuilding of our schools, roads, bridges, not to mention less private sector activity. In other cases, contractors can't even get the necessary insurance, and when they can, every year they are paying more for less as carriers flee the New York market and this irrational risk environment. And, perhaps worst of all, the Scaffold Law is not making jobsites safer. It is doing the opposite, and at the same time treating contractors who do the right thing on safety, investing the time, energy and resources to develop and enforce rigorous safety programs, as those who do the wrong thing and cut corners. That's wrong, unfair and unsafe.

**Q: What is AGC NYS doing to help its members regarding the Scaffold Law?**

A: We have been leading the charge on this issue for years, and this year we have brought a very new approach to trying to solve it. AGC NYS worked closely with Rep. John Faso (R-District 19) to develop

legislation that would eliminate the Scaffold Law's absolute liability standard on any project with federal funding. Trying to attack this problem from the federal side is a first, and while it would not impact every project, it would begin to break down this outdated, costly and



dangerous law — and would provide a real-world contrast between the costs and losses on projects with absolute liability and those without. The introduction of this legislation has also reinvigorated the debate in Albany and across New York on this issue. There have been countless articles and editorials all over the state supporting reform since the Faso bill dropped, and we picked up a sponsor for our Scaffold Law Reform bill in the State Senate, in the form of Sen. Fred Akshar (R-Binghamton). Assemblyman John McDonald (D-Cohoes) has been leading the fight on this issue in the General Assembly.

**Q: How do you feel the Scaffold Law should be changed and what benefits would that bring to New York state?**

A: It's very simple: Replace the law's absolute liability standard, which exists only in New York, with comparative negligence. This is the same standard that applies to every other type of civil liability in New York. A judge or jury

would weigh the facts and apportion liability accordingly. If a contractor or owner is responsible for an injury, they will be held accountable. That's as it should be.

**Q: How is the Scaffold Law affecting those in New York state outside of the construction industry?**

A: It is literally hurting everyone in New York except personal injury trial lawyers. Local governments, school districts, farmers, small businesses, affordable housing advocates, minority and women owned businesses, and major agencies like the MTA and New York City School Construction Authority are being hurt by this law, paying more and building less. That's why they have joined us in calling for reform. Sadly, even victims of natural disasters are being harmed by the Scaffold Law. In the wake of Superstorm Sandy, Habitat for Humanity came into New York to help families begin to rebuild their homes. They had to halt their efforts to help these New Yorkers because they

could not get the necessary insurance — and they have repeatedly said so publicly. It is sad the trial lawyer lobby so far has outweighed the interests of everyone else in Albany.

**Q: Is there anything people can do if they want to help bring about the reform of the Scaffold Law?**

A: Yes. Call your legislators and members of Congress. Ask them where they are on the issue, and don't let them get off the hook with a non-answer. You can also visit [www.agcnys.org](http://www.agcnys.org) and click "Take Action" to use our online tool to send a message directly to your representative.

**Q: What else would you like people to know about AGC NYS?**

A: Our experienced team is fighting hard for our members and industry every day, and, as we are on Scaffold Law, we aren't just complaining about or reporting on what's happening — we're making things happen. We need your help to get it done.

Free estimates • Licensed/Insured/Bonded



**Roofing & Sheet Metal Contractors**  
*Industrial & Commercial*

- ◆ Roofing & Sheet Metal
- ◆ Professional Roof Evaluation
- ◆ Roof Maintenance
- ◆ Moisture Scan/Leak Detection
- ◆ Commercial and Industrial Roof Repair

**716.685.3539**

146 Taylor Drive | Depew, NY 14043

[www.nethandson.com](http://www.nethandson.com)

**BRAWDY**  
**CONSTRUCTION**  
**INC.**  
Masonry ♦ Flatwork ♦ Foundation  
Excavation ♦ Concrete Pumping

[www.BrawdyConstruction.com](http://www.BrawdyConstruction.com) | 716-741-8714

Lehigh Construction Group, Inc.  
4327 South Taylor Road  
Orchard Park, New York 14127

# Lehigh Renews Alliance with OSHA

We are proud to announce that Lehigh signed a renewal on our Alliance with the Occupational Safety and Health Administration (OSHA) last October. The Alliance has been in place since 2003, and the purpose of our alliance is to train young and inexperienced workers on construction safety. Gordy (OSHA) and Tom (Lehigh) have trained over 10,000 students and young workers to date. Way to go, and thank you for all you do!



From left to right: Tom Glomb, Mike Scime, Gordon DeLeys and Dave Knauss